It has been held in a number of states that an injury caused by a street car running at a greater rate of speed than that prescribed by the ordinance of the city establishes negligence *per se*. *Kan. City Sub. Belt. Ry. Co. v. Herman,* 62 Pac. 543; *Moore v. St. Louis Transit Co.,* 194 Mo. 1. But it seems, in many courts, that whether the lawful rate of speed be considered as negligence *per se* or not, the proximate cause of the accident must have been the excessive rate of speed. *Memphis St. Ry. Co. v. Haynes,* 112 Tenn. 712; *Bresse v. Los Angeles Traction Co.,* 85 Pac. 152. Some courts have said that the mere violation of a city ordinance regulating the rate of speed within its corporate limits will not render a railroad liable for personal injury, unless the disobedience was an appreciable agency in producing the injury. *B. & P. Ry. Co. v. Golway,* 6 App. Div. D. C. 143; *Stahl v. Lake Shore & M. S. Ry. Co.,* 117 Mich. 273. And it has even been held that as it is always a question for the jury to determine, whether a car was traveling at a dangerous rate of speed or not, what was the lawful rate is not admissible for any purpose. *Ford v. Paducah City Ry. Co.,* 99 S. W. 355 (Ky.). However, in a majority of the states, although it is recognized that the fact that the car was being driven at an unlawful rate of speed would not alone give the injured a right of action, yet this fact is admissible and may be taken into consideration on the question of negligence. *Hanlon v. So. Boston H. Ry. Co.,* 129 Mass. 310; *Wall v. Helena St. Ry. Co.,* 12 Mont. 45.

STREET RAILROADS—REGULATION—SEATS FOR PASSENGERS—NORTH JERSEY ST. RY. CO. V. JERSEY CITY, 67 ATL. (N. J.) 1072.—*Held,* that an ordinance requiring trolley corporations to run a sufficient number of cars during evening rush hours to provide with a seat every passenger from whom a fare is demanded and to keep no one waiting more than five minutes, not appearing to be unreasonable as to one terminal and not under all circumstances unreasonable as to other, will not be set aside in *toto*.

Public convenience is the main consideration of such a question. *Loader v. Brooklyn Hg'ts R. Co.,* 35 N. Y. Supp. 996. Though the ownership of such a company is private, the use is public. *Olcott v. The Supervisors,* 16 Wall. 695. The reasonableness of an ordinance is to be regarded. *Mayor, etc., of New York v. N. Y. & H. R. Co.,* 31 N. Y. Supp. 147. If the power to legislate is possessed, there is a presumption as to the reasonableness of the legislation, and, unless clearly shown otherwise, courts will not interfere. *Paxson v. Sweet,* 1 Cr. (N. J.) 196. Loss of profits or incurring great expense does not control the situation. *Mayor, etc., v. D. D., E. B. & B. R. R. Co.,* 133 N. Y. 113. If an ordinance is efficacious in one locality, it need not be an entire nullity. *Penna. R. R. Co. v. Jersey City,* 18 Vroom. 286. For cases regulating the running of cars, see *Mayor, etc., v. D. D., E. B. & B. R. R. Co., ut supra; City of N. Y. v. N. Y. & H. R. Co., supra.*

TAXATION—MUNICIPAL PROPERTY—ELECTRIC LIGHT PLANT.—COM. V. CITY OF PADUCAH, 102 S. W. 882 (KEN.).—*Held,* a city's electric light plant is not liable for state and county taxes. O'Rear, C. J., and Nunn and Carroll, J.J., *dissenting.*

The law in regard to electric light plants is analogous to that of city water and gas works, upon which the courts are not agreed. Whatever property is necessary to the administration of the city is exempt, but where it is used